

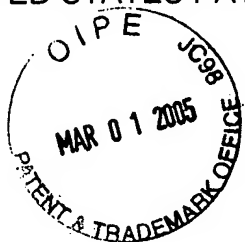
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

OKUDA et al.

Serial No.: 10/046,754

Filed: January 17, 2002



Group Art Unit: 2188

Examiner: P. Baker

Docket No. 107337-00006

For: SEMICONDUCTOR MEMORY DEVICE CAPABLE OF SIMULTANEOUSLY
READING DATA AND REFRESHING DATA (As Amended)

TERMINAL DISCLAIMER UNDER 37 CFR §1.321(b)

Director to the U.S. PTO
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner, **Fujitsu Limited**, having its place of business at **1-1, Kamikodanaka 4-chome, Nakahara-ku, Kawasaki 21108588, Japan**, represents that it is the assignee and owner of all right, title and interest in and to U. S. Patent Application Serial No. **10/046,754** filed **January 17, 2002**, for **SEMICONDUCTOR MEMORY DEVICE CAPABLE OF SIMULTANEOUSLY READING DATA AND REFRESHING DATA (As Amended)**, the assignment for the application being recorded in the Patent and Trademark Office on January 17, 2002 at Reel 012496, Frame 0335. Petitioner is also the assignee of all right, title and interest in and to U.S. Patent No. **6,529,435**.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on application Serial No. **10/046,754**, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. **6,529,435** and hereby agrees that any patent so granted on application Serial No. **10/046,754** shall be enforceable only for and during such period that the legal title to said

patent shall be the same as the legal title to U. S. Patent No. **6,529,435**, this agreement to run with any patent granted on application Serial No. **10/046,754** and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of Patent No. **6,529,435** in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of Petitioner, **Fujitsu Limited**, hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the Petitioner.

Respectfully submitted,

Fujitsu Limited

By: HL. Ozawa

Title: General Manager Patent Div.

Date: Feb. 7, 2005